

10/20/08

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Christine Joyce

From: Roland Bartl
Sent: Friday, October 17, 2008 2:32 PM
To: Steve Ledoux
Cc: Manager Department; Planning Department
Subject: Site Plan 415, 133 Great Road - revised draft decision

Steve:

Attached is a revised draft decision for site plan application 415 with changes redlined. It incorporates into the permit record the revised architectural plans (also attached) and the most recent DRB memo (also attached).

Detailed explanation:

1. Under Exhibits 1.1 the revised architectural plans are made part of the plans that were submitted. By incorporating them here, the applicant, after the issuance of the permit, will be required to proceed with these revised architectural plans as further specified in the draft decision.

2. Under Exhibit 1.2 the 10/15/08 DRB memo is made part of the record.

3. The original application indicated in the text 4 dwelling units on the 2nd floor, but the architectural plans had shown 5 units. The revised architectural plans now show 4 dwelling units. Therefore I deleted former section 2.6 and 3.2.4 that addressed this original discrepancy that has now been cleared up.

4. Section 3.2.9 incorporates the DRB recommendation that "natural materials" be used for siding, railings, and trim. I gave an example "such as wooden clapboard siding". However, inconsistent with the DRB recommendation I added an option for visually equivalent material. I strongly recommend this. Natural materials are a nice idea, but the more maintenance free substitutes promise better assurance that the building will look good and well maintained for a longer time. Even a little peeling paint can make a property look run down. This is not in a historic district where the required use of authentic materials may be justified.

5. 10/15/08 DRB recommendations - bullet by bullet:

a) Dissatisfaction over the architectural design was raised in previous memos and at the public hearing, and the Board gave the applicant clear direction at the hearing to keep working with the DRB on that issue. It is generally not proper or legal to take in additional materials and comments after the close of the public hearing. However, in this case the Board had clearly asked for the conversation to continue, and everybody was on notice that architectural plan modifications would result from it. Therefore, although with significant hesitation, I incorporated the latest on the architectural plans into the decision, including the DRB's request for natural material (modified per paragraph 4 above). For the future I would recommend that all matters be resolved before the close of the public hearing or delegated to staff as appropriate in each case.

b) Bullet 2 is an observation, not a recommendation. It did not find its way into the draft decision.

c) The 3rd bullet continues the discussion about the proposed number of parking spaces. The DRB's statement that zoning only requires 32 spaces is wrong. This is a number that could be sufficient with a properly applied parking discount to 70% that zoning allows. I have previously explained that this parking discount only apply where written use-share agreements between different business property owners exist. This is not the case here. Therefore, zoning requires 45 spaces for this site. The plan shows 48. One or two of the extra spaces are placeholders for the dumpster if it ever needs to be relocated from its current place in the common driveway stub. Therefore, this DRB recommendation is not incorporated in the draft decision.

d) For the 4th bullet, please see the previous paragraph. Not incorporated.

e) The 5th bullet introduces a new recommendation that was not on the table before or at the public hearing. It would be improper and untenable to insert it as a permit condition now. Consequently, I have not added it in the draft decision.

I hope this addresses the remaining issues and questions. The applicant's site plan consultant has seen the draft decision. He has no comments or objections.

10/17/2008